

PERFORMANCE AUDIT
OF THE
ANIMAL INDUSTRY DIVISION, FOOD AND DAIRY DIVISION,
AND LABORATORY DIVISION

DEPARTMENT OF AGRICULTURE

December 2002



Michigan *Office of the Auditor General* **REPORT SUMMARY**

Performance Audit

**Animal Industry Division, Food and Dairy
Division, and Laboratory Division
Department of Agriculture**

**Report Number:
79-110-02**

**Released:
December 2002**

The Department of Agriculture's mission is to serve, promote, and protect the food, agricultural, environmental, and economic interests of the people of the State of Michigan. The Animal Industry Division protects the health of the State's domestic animals. The Food and Dairy Division protects the public health by ensuring a safe and wholesome food supply as well as working to maintain a viable food and dairy industry. The Laboratory Division provides scientific, analytical, testing, and consulting services for the programs of the Department and others.

Audit Objectives:

1. To assess the effectiveness of the Animal Industry Division's, Food and Dairy Division's and Laboratory Division's implementation of continuous quality improvement (CQI) initiatives.
2. To assess the effectiveness and efficiency of the Animal Industry Division's operations in protecting the health of domestic animals in Michigan.
3. To assess the effectiveness and efficiency of the Food and Dairy Division's operations in protecting the public health by ensuring a safe and wholesome food supply.
4. To assess the effectiveness and efficiency of the Laboratory Division's consumer protection and agricultural support services.

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Audit Conclusions:

1. Our assessment disclosed that the Animal Industry Division, Food and Dairy Division, and Laboratory Division were moderately effective in implementing CQI initiatives.
2. We concluded that the Animal Industry Division's operations were generally effective and efficient in protecting the health of domestic animals in Michigan.
3. We concluded that the Food and Dairy Division's operations were generally effective and efficient in protecting the public health by ensuring a safe and wholesome food supply.
4. We concluded that the Laboratory Division was generally effective and efficient in providing consumer protection and agricultural support services.

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Noteworthy Accomplishments:

The State has made progress against bovine tuberculosis through a program that includes extensive testing of wildlife and farm animals, restrictions on moving cattle out of the infected region, and construction of an animal disease laboratory at Michigan State University.

The Food and Dairy Division was instrumental in bringing about the Food Law of 2000, which was the first major overhaul of Michigan's food safety laws in more than 30 years. The Food and Dairy Division also recently worked with the Legislature to update and consolidate Michigan's dairy laws and regulations, combining 21 laws and regulations into two updated acts.

In 2000, the Department's E.C. Heffron Metrology Laboratory passed the National Voluntary Laboratory Accreditation Program on-site audit without any

deficiencies noted and was only the second state laboratory in the United States accredited at the highest calibration level possible for mass standards.

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Reportable Condition:

The Animal Industry Division, Food and Dairy Division, and Laboratory Division need to enhance their CQI processes regarding evaluating program effectiveness (Finding 1).

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Agency Response:

The Department agreed with the finding and stated that the Animal Industry Division, Food and Dairy Division, and Laboratory Division will continue to take steps to enhance their CQI processes relative to evaluating program effectiveness.

A copy of the full report can be obtained by calling 517.334.8050 or by visiting our Web site at: www.state.mi.us/audgen/



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THOMAS H. MCTAVISH, C.P.A.
AUDITOR GENERAL

December 11, 2002

Mr. Douglas E. Darling, Chairperson
Commission of Agriculture
and
Mr. Dan Wyant, Director
Department of Agriculture
Constitution Hall
Lansing, Michigan

Dear Mr. Darling and Mr. Wyant:

This is our report on the performance audit of the Animal Industry Division, Food and Dairy Division, and Laboratory Division, Department of Agriculture.

This report contains our report summary; description of agencies; audit objectives, scope, and methodology and agency responses and prior audit follow-up; comments, finding, recommendation, and agency preliminary response; and a glossary of acronyms and terms.

Our comments, finding, and recommendation are organized by audit objective. The agency preliminary response was taken from the agency's response subsequent to our audit fieldwork. The *Michigan Compiled Laws* and administrative procedures require that the audited agency develop a formal response within 60 days after release of the audit report.

We appreciate the courtesy and cooperation extended to us during this audit.

Sincerely,

A handwritten signature in black ink, reading "Thomas H. McTavish".

Thomas H. McTavish, C.P.A.
Auditor General

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Description of Agencies

The Department of Agriculture was created by Act 13, P.A. 1921 (Sections 285.1 - 285.7 of the *Michigan Compiled Laws*.) The Department's mission* is to serve, promote, and protect the food, agricultural, environmental, and economic interests of the people of the State of Michigan.

A bipartisan five-member Commission of Agriculture is responsible for the general administration of the Department, including the appointment of the director who serves at the pleasure of the Commission. The Governor appoints the members of the Commission, with the advice and consent of the Senate, for four-year terms.

The Animal Industry Division, Food and Dairy Division, and Laboratory Division administer statutes, regulations, and policies relating to food and consumer product safety and quality. Division field staff located in the regional offices enforce the statutes, regulations, and policies related to the responsibility of each Division:

a. Animal Industry Division

The Animal Industry Division protects the health of the State's domestic animals*. This effort is important to the public health, food safety, and viability of animal industries. The Division is headed by the State Veterinarian, who supervises Statewide animal disease surveillance and eradication programs to ensure healthy livestock* and pets in the State. The Division monitors animal diseases to protect Michigan residents from animal-transmitted diseases and food safety hazards. The Division investigates all reportable animal disease cases and works to control and eradicate* animal diseases, which in turn helps to provide for a healthy domestic animal population in Michigan and throughout the United States. The Division licenses and regulates a variety of animal industries, including livestock dealers, truckers (including livestock haulers and dead animal haulers), livestock auction markets, rendering plants, dead animal dealers, privately owned cervidae* farms, riding stables, pet shops, animal control/protection shelters, aquaculture facilities*, and animal research facilities.

* See glossary at end of report for definition.

For several years, the Animal Industry Division has been actively involved in efforts to eradicate from the State bovine tuberculosis* (TB), a disease that has been identified in the State's cervidae and domestic cattle population. As of April 30, 2002, 18 beef cattle herds and 2 dairy cattle herds had been identified with bovine TB and either depopulated* or partially depopulated*. Michigan's TB status, as established by the U.S. Department of Agriculture, has been "modified accredited" since 2000. Under this status, the federal Grade "A" Pasteurized Milk Ordinance required that all dairy farms in Michigan have an annual whole-herd TB test. The Division has overseen the testing of all dairy herds in the State. The Division has also overseen the testing of the State's beef cattle and goats. The increasing scope of the bovine TB issue required an expansion of the Division's Atlanta regional office, which is located in the TB-affected area.

b. Food and Dairy Division

The Food and Dairy Division protects the public health by ensuring a safe and wholesome food supply as well as working to maintain a viable food and dairy industry. The Division inspects more than 16,000 licensed food establishments annually. These establishments range from supermarkets and convenience stores to major food-processing operations. Inspections address sanitary conditions, infrastructure safety, cleanliness, freshness and wholesomeness of food, and truth in labeling. The Division also inspects 3,500 Michigan dairy farms biannually to ensure the safety and quality of milk and examines and regulates dairy-processing plants, milk distributors, and bulk-milk haulers. The Division oversees the food services sanitation program for 47,000 establishments throughout the State, including restaurants, cafeterias, commissaries, and temporary food vendors. The Division, in partnership with local health departments, provides training, coordination, direction, and inspection guidelines for local health departments, which conduct the inspections.

c. Laboratory Division

The Laboratory Division provides scientific, analytical, testing, and consulting services for the Department's programs, other agencies, private industry, and the public. The Division includes two laboratories, the Geagley Laboratory in East Lansing and the E.C. Heffron Metrology Laboratory in Williamston. The Geagley Laboratory performs biological, chemical, and physical tests on food samples,

* See glossary at end of report for definition.

beverages, pesticides, plants, seeds, fertilizers, animal feeds, and gasoline and also performs animal-related testing. The Heffron Metrology Laboratory maintains the official Michigan standards for weights and measures (mass, volume, and length) and houses consumer protection programs.

The tests and analyses conducted by the Heffron Metrology Laboratory ensure that weight and measure standards used by Michigan businesses are directly traceable to national standards. This makes commodities and manufactured goods from Michigan eligible for international trade and helps prevent economic fraud and deception. The Heffron Metrology Laboratory is accredited by the National Voluntary Laboratory Accreditation Program and certified by the National Institute of Standards and Technology, U.S. Department of Commerce.

The Laboratory Division includes the Motor Fuel Quality Program and the Weights and Measures Program. The Motor Fuel Quality Program establishes and regulates the sale and quality of motor fuels through licensing, investigation, inspection, and sampling to ensure that the fuels that consumers purchase contain the proper materials, perform properly, and abide by legal standards. The Weights and Measures Program supports Michigan's core economic infrastructure by protecting Michigan's consumers and industries from fraud and deception in the marketplace by testing the accuracy of commercial weighing and measuring devices and evaluating the net content, labeling, and methods of sale of wholesale and commercial goods. This helps to prevent consumers and businesses from being defrauded, thereby promoting a fair and equitable marketplace.

For the fiscal year ended September 30, 2002, the Legislature appropriated \$5.9 million, \$19.4 million, and \$10.7 million, respectively, for the Animal Industry Division, Food and Dairy Division, and Laboratory Division. As of April 30, 2002, the Animal Industry Division had 75 employees, the Food and Dairy Division had 111 employees, and the Laboratory Division had 120 employees.

Audit Objectives, Scope, and Methodology and Agency Responses and Prior Audit Follow-Up

Audit Objectives

Our performance audit* of the Animal Industry Division, Food and Dairy Division, and Laboratory Division, Department of Agriculture, had the following objectives:

1. To assess the effectiveness* of the Animal Industry Division's, Food and Dairy Division's, and Laboratory Division's implementation of continuous quality improvement* initiatives.
2. To assess the effectiveness and efficiency* of the Animal Industry Division's operations in protecting the health of domestic animals in Michigan.
3. To assess the effectiveness and efficiency of the Food and Dairy Division's operations in protecting the public health by ensuring a safe and wholesome food supply.
4. To assess the effectiveness and efficiency of the Laboratory Division's consumer protection and agricultural support services.

Audit Scope

Our audit scope was to examine the program and other records of the Animal Industry Division, Food and Dairy Division, and Laboratory Division. Our audit was conducted in accordance with *Government Auditing Standards* issued by the Comptroller General of the United States and, accordingly, included such tests of the records and such other auditing procedures as we considered necessary in the circumstances.

Audit Methodology

Our audit procedures included an examination of the records and activities primarily for the period October 1, 1999 through April 30, 2002. Our audit fieldwork was performed from December 2001 through May 2002.

* See glossary at end of report for definition.

To establish our audit objectives and to gain an understanding of the Animal Industry Division's, Food and Dairy Division's, and Laboratory Division's activities, we conducted a preliminary review of each division's operations. This included discussions with various staff regarding their functions and responsibilities and a review of program records, policies, and procedures. We also reviewed the Department's annual reports and strategic plan; division annual reports, goals*, and objectives*; and division program reports.

To assess the effectiveness of the Animal Industry Division's, Food and Dairy Division's, and Laboratory Division's implementation of their continuous quality improvement initiatives, we reviewed strategic plans, goals and objectives, established performance standards*, performance measurement methods, accomplishment reports, information collection methods, comparison of actual and desired performance, and follow-up by management.

To assess the effectiveness and efficiency of the Animal Industry Division's operations in protecting the health of domestic animals in Michigan, we reviewed the Division's activities and operations. We also reviewed the Division's licensing, inspection, and complaint investigation processes. We interviewed management and other related sources to gain an understanding of bovine tuberculosis and reviewed the Division's role in efforts to eradicate bovine tuberculosis from the State.

To assess the effectiveness and efficiency of the Food and Dairy Division's operations in protecting the public health by ensuring a safe and wholesome food supply, we reviewed the recent statutory changes in the Food Law of 2000 (Act 92, P.A. 2000) and the Manufacturing Milk Law of 2001 (Act 267, P.A. 2001). We examined and tested the licensing and inspection processes. We documented the complaint resolution process and tested complaint files to assess whether complaints were resolved in a timely manner. We documented the Division's processes to accredit local health departments and to monitor the reporting requirements of local health departments. We examined the Division's activities to provide timely training, support and assistance, and information to its inspectors, the local health departments, food producers, consumers, and other stakeholders.

** See glossary at end of report for definition.*

To assess the effectiveness and efficiency of the Laboratory Division's consumer protection and agricultural support services, we reviewed activities of the Geagley Laboratory and the E.C. Heffron Metrology Laboratory. We documented and tested the licensing process. We evaluated the scientific and analytical testing procedures and reviewed a sample of testing results to confirm that test results information was distributed in a timely manner. We documented the complaint resolution process and tested complaint files to assess whether complaints were resolved in a timely manner.

Agency Responses and Prior Audit Follow-Up

Our audit report contains 1 finding and corresponding recommendation. The agency preliminary response indicated that the Animal Industry Division, Food and Dairy Division, and Laboratory Division agreed with the finding and were in the process of complying with the recommendation.

The agency preliminary response that follows the audit recommendation in our report was taken from the agency's written comments and oral discussion subsequent to our audit fieldwork. Section 18.1462 of the *Michigan Compiled Laws* and Department of Management and Budget Administrative Guide procedure 1280.02 require the Department of Agriculture to develop a formal response to our audit finding and recommendation within 60 days after release of the audit report.

The Department had complied with all 7 of the prior audit recommendations.

COMMENTS, FINDING, RECOMMENDATION, AND AGENCY PRELIMINARY RESPONSE

CONTINUOUS QUALITY IMPROVEMENT

COMMENT

Audit Objective: To assess the effectiveness of the Animal Industry Division's, Food and Dairy Division's, and Laboratory Division's implementation of continuous quality improvement (CQI) initiatives.

Conclusion: Our assessment disclosed that the Animal Industry Division, Food and Dairy Division, and Laboratory Division were moderately effective in implementing CQI initiatives. Our review disclosed a reportable condition* related to the implementation of CQI processes (Finding 1).

FINDING

1. Implementation of CQI Processes

The Animal Industry Division, Food and Dairy Division, and Laboratory Division need to enhance their CQI processes regarding evaluating program effectiveness.

CQI is a process that aligns the vision* and mission of an organization with the needs and expectations of internal and external customers. It normally includes a process to improve program effectiveness and efficiency by assessing performance indicators* that measure outputs* and outcomes* related to the program vision, mission, goals, and objectives.

The Legislature and the Governor have required in various appropriations acts and Executive Directive No. 1996-1 that State programs use CQI processes to manage the use of limited State resources. Also, in Executive Directive No. 2001-3, which rescinded Executive Directive No. 1996-1 effective June 8, 2001, the Governor stated that it was his goal to increase efforts toward continuous improvement and directed department and agency heads to actively support the State's quality

* See glossary at end of report for definition.

recognition system and ensure the implementation of quality and customer service management techniques.

The Department of Agriculture has developed an overall strategic plan that includes vision and mission statements, 7 goals, and 26 corresponding objectives. This effort reflects a high commitment on the part of top management to employ CQI initiatives.

The Animal Industry Division, Food and Dairy Division, and Laboratory Division have established core CQI elements. Each division has developed a mission statement and corresponding goals, although these are not consistently documented in writing. Also, each division has management information and data collection processes in place.

Our review of the Divisions' CQI initiatives disclosed the following areas in which CQI enhancements are needed:

- a. The Laboratory Division had not developed a comprehensive process for accumulating performance indicators and evaluating its performance in relation to identified objectives and performance standards. The Division had developed objectives and had identified some performance indicators and performance standards for its sections. For example, one of the Division's performance standards was the percentage of equine drug tests expected to be completed within the Division's established time frames. However, the Division had not compiled the number and percentage of equine drug tests completed within the established time frames, one of the Division's performance indicators.

Also, the Laboratory Division did not have performance indicators and performance standards needed to evaluate all areas of the Division's performance. However, the Division informed us that it would be developing appropriate performance measures during the upcoming strategic planning cycle.

- b. The Food and Dairy Division had not established performance standards needed in evaluating the Division's performance. For example, one of the Division's performance indicators was the number and percentage of food

inspections completed within established cycles. However, the Division did not have a related performance standard, such as the number and percentage of food inspections that it expected to be completed within established cycles.

The Food and Dairy Division indicated that it wanted to evaluate a year's worth of data before quantifying its performance standards. However, performance standards should not be driven by current performance but instead by the desired level of performance as defined by the overall goals and objectives of the Division and the Department.

- c. The Animal Industry Division had not summarized performance indicator data, even though it had established a comprehensive list of performance indicators and performance standards. Summarizing performance indicator data is needed in evaluating the Division's performance. For example, one of the Division's performance indicators was the number and percentage of beef herds tested for bovine tuberculosis (TB). However, the Division had not summarized related beef herd testing data for comparison with performance standards, a necessary process in performance evaluation.

Tools to measure performance add purpose to the process of developing division goals. Reporting the results of the Divisions' activities holds the Divisions accountable for their performance, adding value to the services provided for their customers. An integral part of a fully developed CQI process is the assessment of the Divisions' progress in achieving stated goals and objectives and the development of program modifications to improve effectiveness.

The Food and Dairy Division and the Laboratory Division each prepared annual reports to summarize their positive accomplishments. This effort could be enhanced by including an analysis of the reasons contributing to desired or undesired outcomes and proposals for program modifications to improve effectiveness.

RECOMMENDATION

We recommend that the Animal Industry Division, Food and Dairy Division, and Laboratory Division enhance their CQI processes regarding evaluating program effectiveness.

AGENCY PRELIMINARY RESPONSE

The Department agreed with the finding and informed us that the Animal Industry Division, Food and Dairy Division, and Laboratory Division are in the process of complying with the recommendation. Also, the Department stated that the Divisions will continue to take steps to enhance their CQI processes relative to evaluating program effectiveness.

In addition, the Department stated that, in 2002, it engaged in a process using the Michigan Quality Council assessment tool to conduct a Departmentwide quality assessment. Overall, the assessment indicated that the Department was performing well. However, there were opportunities identified for improvement. One recommendation was to enhance performance measures for each division in order to better evaluate program effectiveness. To accomplish improvement in this area, each division committed to working with the Office of Performance Excellence to clearly establish and enhance performance measures. Following the completion of this process, each division will have created goals, objectives, and performance indicators aligned with the mission and vision of the Department.

The Department further stated that the Food and Dairy Division has completed this process and is now working on the development of performance standards. However, the Division still believes that, in light of major programmatic changes over the past year, it must establish a benchmark before it sets challenging, yet attainable, and progressive performance standards. The Animal Industry Division has nearly completed the process, and the Laboratory Division is scheduled in the fall of 2002.

ANIMAL INDUSTRY DIVISION

COMMENT

Audit Objective: To assess the effectiveness and efficiency of the Animal Industry Division's operations in protecting the health of domestic animals in Michigan.

Conclusion: We concluded that the Animal Industry Division's operations were generally effective and efficient in protecting the health of domestic animals in Michigan.

Noteworthy Accomplishments: The State has made progress against bovine TB through a program that includes extensive testing of wildlife and farm animals, restrictions on moving cattle out of the infected region, and construction of an animal disease laboratory at Michigan State University. Since 1997, the Department has received nearly \$32 million in appropriations specifically to address the bovine TB problem. The Animal Industry Division completed TB testing of the State's 300,000 dairy cattle in 2001 and expected to complete the testing of the State's beef cattle during 2003. As of December 31, 2001, the State had conducted 705,573 tests on cattle, goats, and bison. The Division's ongoing bovine TB testing has confirmed that the disease has not spread from the northeastern section of lower Michigan. As of April 30, 2002, bovine TB had been identified in 20 beef and dairy herds located in a 5-county area in northeastern lower Michigan. The State has not identified TB in any cattle in the remaining 78 counties.

FOOD AND DAIRY DIVISION

COMMENT

Audit Objective: To assess the effectiveness and efficiency of the Food and Dairy Division's operations in protecting the public health by ensuring a safe and wholesome food supply.

Conclusion: We concluded that the Food and Dairy Division's operations were generally effective and efficient in protecting the public health by ensuring a safe and wholesome food supply.

Noteworthy Accomplishments: The Food and Dairy Division was instrumental in bringing about the Food Law of 2000, which was the first major overhaul of Michigan's food safety laws in more than 30 years. It adopts the U.S. Food and Drug Administration's Model Food Code of 1999. The law and associated regulatory updates included new administrative penalties; more stringent standards for retail food establishment managers' knowledge; the new Consumer Food Safety Education Fund, which was established and operates with revenue from each food establishment license; an industry training fund; and uniform standards for State and local food safety regulatory programs. It provides for a more efficient working relationship between the Department and local health departments, by redefining the regulatory responsibilities of each entity to eliminate overlapping and conflicting responsibilities.

The Food and Dairy Division also recently worked with the Legislature to update and consolidate Michigan's dairy laws and regulations. Twenty-one laws and regulations were combined into two updated acts: Act 266, P.A. 2001 (the Grade "A" Milk Law of 2001) and Act 267, P.A. 2001 (the Manufacturing Milk Law of 2001). The State adopted and incorporated the 2001 revision of the federal Grade "A" Pasteurized Milk Ordinance, which is the milk safety standard for all 50 states, into Act 266, P.A. 2001.

LABORATORY DIVISION

COMMENT

Audit Objective: To assess the effectiveness and efficiency of the Laboratory Division's consumer protection and agricultural support services.

Conclusion: We concluded that the Laboratory Division was generally effective and efficient in providing consumer protection and agricultural support services.

Noteworthy Accomplishments: In 2000, the Department's E.C. Heffron Metrology Laboratory passed the National Voluntary Laboratory Accreditation Program on-site audit without any deficiencies noted. The Heffron Metrology Laboratory was only the second state laboratory in the United States accredited by the National Voluntary Laboratory Accreditation Program at the highest calibration level possible for mass standards.

Glossary of Acronyms and Terms

| | |
|---|---|
| aquaculture facility | A farm or farm operation for the commercial raising, transporting, importing, exporting, or marketing of aquatic animal organisms in privately controlled waters. |
| continuous quality improvement (CQI) | A process that aligns the vision and mission of an organization with the needs and expectations of internal and external customers. It normally includes a process to improve program effectiveness and efficiency by assessing performance indicators that measure outputs and outcomes related to the program vision, mission, goals, and objectives. |
| depopulate | To remove by slaughter or other means of destruction the entire herd prior to restocking. |
| domestic animals | Species of animals that live under the husbandry of humans. |
| effectiveness | Program success in achieving mission and goals. |
| efficiency | Achieving the most outputs and outcomes practical with the minimum amount of resources. |
| eradicate | To completely destroy. |
| goals | The agency's intended outcomes or impacts for a program to accomplish its mission. |
| livestock | Species of animals used for human food and fiber or those species of animals used for services to humans. Livestock includes, but is not limited to, cattle, sheep, goats, privately owned cervidaes, swine, poultry, aquaculture, and rabbits. |
| mission | The agency's main purpose or the reason that the agency was established. |
| objectives | Specific outcomes that a program seeks to achieve its goals. |

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|---------------------------------|--|
| outcomes | The actual impacts of the program. |
| outputs | The products or services produced by the program. |
| partially depopulate | To remove by slaughter or other means of destruction only selected livestock from the herd. |
| performance audit | An economy and efficiency audit or a program audit that is designed to provide an independent assessment of the performance of a governmental entity, program, activity, or function to improve public accountability and to facilitate decision making by parties responsible for overseeing or initiating corrective action. |
| performance indicators | Information of a quantitative or qualitative nature used to assess achievement of goals and/or objectives. |
| performance standard | A desired level of output or outcome. |
| privately owned cervidae | Any of the cervid family, including, but not limited to, deer, elk, moose, and all other members of the family of cervidae raised or maintained in captivity for the production of meat and other agriculture products, sports, exhibition, or any other purpose. |
| reportable condition | A matter that, in the auditor's judgment, represents either an opportunity for improvement or a significant deficiency in management's ability to operate a program in an effective and efficient manner. |
| tuberculosis (TB) | A chronic lung disease caused by bacteria that attack lymph nodes and the chest cavity. This disease can weaken and kill infected animals. |
| vision | An inspiring picture of a preferred future not bound by time, representing continuing purposes to serve as a foundation for a system of strategic planning. |